



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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Paper No. 12

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APR 10 2003

**OFFICE OF PETITIONS**

ON PETITION

In re Application of  
Topping et al.  
Application No. 09/207,339  
Filed: December 8, 1998  
For: AUTOMATED IDENTIFICATION  
THROUGH ANALYSIS OF OPTICAL  
BIREFRINGENCE WITHIN NAIL BEDS

This is a decision on the petition under 37 CFR 1.137(b), submitted by facsimile transmission on April 4, 2003, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to reply timely to the nonfinal Office action mailed May 23, 2001, which set a three-month shortened statutory period to respond. Petitioner obtained a two-month extension of time pursuant to 37 CFR 1.136(a). Accordingly, this application became abandoned on October 24, 2001. A Notice of Abandonment was mailed on April 1, 2003.

The petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of an amendment, paid the petition fee, and made the proper statement of unintentional delay.

The Office finance records indicate that petitioner is entitled to a refund of the extension of time fee in the first month. A refund is scheduled by treasury check in the amount of \$55.00.

The file is being forwarded to Technology Center 2600 for review of the amendment.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

*Christina Tartera Donnell*

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